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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SHANNON O. MURPHY,

Plaintiff,

v.

UNITED STATES ARMY NATIONAL
GUARD, (CALIFORNIA); BATTERY S,
143RD FIELD ARTILLERY,

Defendants.

No. C 08-00763 EMC

**DECLINATION TO PROCEED
BEFORE A MAGISTRATE JUDGE
AND REQUEST FOR REASSIGNMENT
TO A UNITED STATES DISTRICT
JUDGE**

REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE

The undersigned party hereby declines to consent to the assignment of this case to a United States Magistrate Judge for trial and disposition and hereby requests the reassignment of this case to a United States District Judge.

Respectfully submitted,

JOSEPH P. RUSSONIELLO
United States Attorney

Dated: February 22, 2008

/s/
ABRAHAM A. SIMMONS
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee of the Office of the United States Attorney for the Northern District of California and is a person of such age and discretion to be competent to serve papers. The undersigned further certifies that she is causing a copy of the following:

DECLINATION TO PROCEED BEFORE A MAGISTRATE JUDGE AND REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE

to be served this date upon the party in this action by placing a true copy thereof in a sealed envelope, and served as follows:

- ☒ FIRST CLASS MAIL by placing such envelope(s) with postage thereon fully prepaid in the designated area for outgoing U.S. mail in accordance with this office's practice.
- ☐ CERTIFIED MAIL (#) by placing such envelope(s) with postage thereon fully prepaid in the designated area for outgoing U.S. mail in accordance with this office's practice.
- ☐ PERSONAL SERVICE (BY MESSENGER)
- ☐ FEDERAL EXPRESS via Priority Overnight
- ☐ EMAIL
- ☐ FACSIMILE (FAX)

to the party(ies) addressed as follows:

Shannon O. Murphy, Pro Se
General Delivery
El Cerrito, CA 94530
PH: 510.219.9180

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this February 22, 2008 at San Francisco, California.

_____/s/_____
LILY HO-VUONG
Legal Assistant